

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 30, 2004

DIVISION ONE

B163840 Brian Yuzon, a minor, etc. (Not for Publication)
v.
Gerald Collins

The judgment is affirmed. Respondent(s) to recover costs.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B166934 People (Not for Publication)
v.
Maximino Navarro

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

DIVISION THREE

B149573 Michael O'Hearn (Certified for Publication)

v.

Hillcrest Gym and Fitness Center, Inc.,
Aububon Insurance Group

The appeal is dismissed insofar as it seeks review of the order determining good faith settlement or the order denying the motion for new trial. The judgment on general verdict is reversed and the matter is remanded for a new trial as to damages. Hillcrest shall recover costs on appeal.

Klein, P.J.

We concur: Croskey, J.
Aldrich, J.

B163218 Union Bank of California, as Conservator, etc. (Certified for Publication)

v.

Superior Court, Los Angeles County
(Henry Williams, Conservatee, r.p.i.)

The petition for writ of mandate is granted. Let a peremptory writ of mandate issue directing respondent superior court to vacate its order insofar as it ruled the conservatorship ceased to exist upon the repeal of former section 1485 and required Union Bank to file d petition to obtain letters of conservatorship. Union Bank shall bear its own costs in this proceedings. (Cal.Rules of Court, rule 56.4(a).)

Klein, P.J.

We concur: Croskey, J.
Aldrich, J.

DIVISION THREE (Continued)

[illegible]

The judgment is modified to reflect a term of five years for the personal discharge of a firearm at an occupied motor vehicle causing death (former 12022.5, subd. (b)(1)) and, as so modified, affirmed. The clerk of the superior court is directed to prepare and forward to the Department of Corrections an amended abstract of judgment that reflects a term of 30 years to life in state prison.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B167573 People (Not for Publication)
v.
Flores

The appeal is dismissed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B159986 Ruth Ann Carmona (Not for Publication)
v.
The Boeing Company, et al.

The judgment is affirmed. Each party to bear their own costs.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION THREE (Continued)

B163027 Los Angeles County, D.C.S. (Not for Publication)
v.
Cherise S.

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B161464 Elizabeth J. Vaughn (Not for Publication)
v.
Endeavor Agency

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Klein, P.J.
 Kitching, J.

B168626 Los Angeles County, D.C.S. (Not for Publication)
v.
Trennee B.

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION THREE (Continued)

B165225 Estate of Fulton Marks (Not for Publication)

v.

Terrie T. Jackson

The Cadle Company

The judgment is affirmed. The estate is entitled to costs on appeal.

Croskey, J.

We concur: Klein, P.J.

Aldrich, J.

B163313 Rothenberg Sawasy Architects, Inc. (Not for Publication)

v.

Peter Sternlicht

The judgment is affirmed. Respondent Rothenberg Sawasy Architects, Inc. is awarded costs, including reasonable attorney fees, on appeal. The matter is remanded to the trial court for a determination of the amount of costs and reasonable attorney fees incurred by RSA in the course of this appeal.

Kitching, J.

We concur: Croskey, Acting P.J.

Aldrich, J.

B161614 Debbra Salo (Not for Publication)

v.

John D. Bates, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur: Klein, P.J.

Aldrich, J.

DIVISION THREE (Continued)

B165036 Department of Children and Family Services (Not for Publication)
B170915 v.
R.L.

The appeal taken by Father on February 19, 2003, is dismissed. The disposition order is affirmed. Father's petition for extraordinary writ is denied.

Croskey, Acting P.J.

We concur: Kitching, J.
Aldrich, J.

B164728 G.S., et al. (Not for Publication)
v.
Antelope Valley Union High School District, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Croskey, Acting P.J.
Kitching, J.

B161394 Sang Won Lee (Not for Publication)
v.
Department of Consumer Affairs.

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
Kitching, J.

DIVISION THREE (Continued)

B159695 People (Not for Publication)
B166486 v.
Kangarlou

The trial court's order is reversed. The trial court is ordered to appoint counsel for Kangarlou and the matter is remanded for a new hearing on the coram nobis petition.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B165719 People (Not for Publication)
v.
Lopez

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B166612 People (Not for Publication)
v.
Aboujawdeh

The order denying appellant's statutory motion to vacate judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

B164433 People (Certified for Publication)
v.
Karen A.

The order of wardship is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION FOUR

B159589 Fischbach (Not for Publication)
v.
Trustees of California State University, et al.

Writ of coram vobis is granted. The judgment is reversed and the trial court is directed to enter a new order denying respondents' motion for summary judgment without prejudice. The appeal from the denial of appellant's motion to vacate the judgment is dismissed as moot. Appellant is to have his costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

DIVISION SIX

B162451 People
v.
Thompson

Filed order denying petition for rehearing.

DIVISION EIGHT

B164121 SHC Laguna Niguel LLC, et al. (Not for Publication)
v.
Marriott International, Inc., et al.

The order denying the petition to compel arbitration is affirmed.
Respondents to recover their costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
 Flier, J.

B165806 Tire Distributors, Inc. (Not for Publication)
v.
Superior Court, Los Angeles County
(A-Line Construction & Engineering, Inc., et al., r.p.i.)

The petition for writ of mandate is granted. The respondent court is directed to vacate its March 19, 2003, order denying Tire Distributor's motion to enforce the settlement agreement and enter judgment under section 664.6, and to thereafter enter a new and different order granting the motion. Tire Distributors is entitled to recover its costs in this writ proceeding. (Cal. Rules of Court, rule 56.4.) Our stay order of July 3, 2003, is hereby vacated so the trial court may conduct further proceedings consistent with the views expressed in this opinion.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.

DIVISION EIGHT (Continued)

B158765 People (Not for Publication)
v.
Jones

The appeal is dismissed.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

B161959 Iron Grip Barbell Company, Inc. (Not for Publication)
v.
Ivanko Barbell Company

The order granting Ivanko's motion to strike pursuant to section 425.16 is reversed. The order awarding attorney's fees and costs to Ivanko is reversed. Ivanko to bear costs on appeal.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

B155166 County Of Los Angeles
v.
Navarro

Filed order vacating submission order of October 27, 2003. Matter orders further briefing.